

Application Number 10/797,911
Amendment in response to Office Action mailed April 12, 2007

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REMARKS

This Amendment is responsive to the Office Action dated April 12, 2007. Applicant has amended claims 1 and 3-5. Applicant has cancelled claim 2. Claims 1 and 3-5 are pending.

Allowable Subject Matter

In the Office Action, the Examiner indicated that claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In this amendment, Applicant has amended independent claim 1 to include all the subject matter recited by claim 2, now cancelled, which the Examiner indicated would be allowable if rewritten in independent form. Furthermore, Applicant has amended claims 3-5 to depend from amended independent claim 1. Consequently, independent claim 1, as amended, and claims 3-5, dependent therefrom, are in condition for allowance.

Claim Rejection Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Gersheneld et al. (US 5,914,701) in view of Tajima et al. (US 6,777,922). Applicant respectfully traverses the rejection to the extent such rejections may be considered applicable to the claims as amended. The applied references fail to disclose or suggest the inventions defined by Applicant's claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed invention.

Applicant submits that the rejection of claim 1 is now moot. As stated above, Applicant has amended independent claim 1 to include all the subject matter recited by claim 2, now cancelled, which the Examiner indicated would be allowable if rewritten in independent form. Applicant's amended independent claim 1 is in condition for allowance. Applicant has amended claims 3-5 to depend from amended independent claim 1. Therefore, Applicant's dependent claims 3-5 are also in condition for allowance. Withdrawal of this rejection is requested.

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CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

By:

8/10/07

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